

Newfields Planning Board Minutes
May 20, 2004

Cell Tower Portion of Meeting

Bill McQuade, Debora Couch, Jim Lambardi and Bill Spence (?) from Tower Ventures, AT&T Wireless and T-Mobil presented a new design for the Newfields II cell tower application.

Due to adverse impacts of external antenna mounts, they are going to use internally mounted antennas. NH Division of Historical Resources found adverse affect of the externally mounted antenna as well as a need to review the site location regardless of the antenna mount type.

The applicant also agreed to change the compound fence to a vinyl clad type instead of the proposed galvanized steel.

There were questions from the Board regarding the new plans for NH Route 85 at the RR bridge crossing. The Board wondered how the new road elevation may impact the view shed of the pole from the bridge approaches and crossing. The applicant had no answer, however were willing to attempt to simulate the new elevation into some photos.

Jack Shaw questioned the applicant regarding the view of the pole from Main Street. He also had concerns over lower property values for surrounding properties. Mr. McQuade assured Mr. Shaw that there would be no effect to property values, and the view was addressed earlier.

Betsy Coes mentioned that she lives on Baker Street, the access street to the site, and that she cannot see the tower from her house. Mrs. Coes also mentioned that the way she interpreted the application, it read to her as if the tower was being constructed to be added onto. Is this the case? Mr. McQuade said yes, the tower will be designed to be added to in the future. He also added that if the Planning Board approved the Newfields II location, Tower Ventures and AT&T Wireless will drop the pending lawsuit regarding the denied original application for the Hervey Court location aka the sewer plant.

Mike Todd of the NPB asked if any one in attendance would like to see a flag pole style antenna pole as opposed to the mono pole. No one in attendance replied in favor.

Mrs. Coes inquired about the need of a light on the top of the pole. Mr. McQuade replied no.

Barbara Labranche wanted to know what affect the tree clearing would affect the view. Mr. McQuade replied no.

Barbara Wray asked if the NPB was under any legal obligation to approve the application. Mike Todd (NPB) replied that the town has to follow the laws of the building and zoning code as adopted. If the application meets the legal intent of the ordinance, then the NPB could be opening the town up for legal action if denied.

Barbara Byrne of the Newfields Conservation Commission wanted to know what benefit the tower would have. Why dose the town need it? Mr. McQuade replied that there would better coverage for the residents of Newfields and surrounding towns. Also there will be room on the pole for the town to use for its own needs. He also mentioned the 1996 fair competition act enacted by the federal government.

Barbara Labranche asked Mr. McQuade why not put the tower in Stratham. Mr. McQuade said AT&T is already on a tower in that town.

NPB, estimated time of construction? Mr. McQuade, 30 days.

Barbara Labranche, Will the town be sued? Ever?? If so the NPB should not approve the plan. Mr. McQuade again assured the NPB that all legal action by the applicant will be dropped upon approval of the Newfields II site.

Betsy Coes inquired about the number of trucks that will access the site. Mr. McQuade replied that their will be 2 trips per month per carrier.

Jack Shaw pleaded with the NPB to reconsider the sewer plant location.

Mary August (NZBA) asked if there would be any blasting. Mr. McQuade said no, however they would follow any local laws if necessary.

At this time there were no further questions regarding the application, and NPB made motion to conditionally accept the plan. The conditions are as follows,

- 1 The tower is not to exceed 120' in height
- 2 If post construction sound levels from compound exceed those proposed, the applicant will mitigate to reduce sound.
- 3 Fence surrounding compound will be vinyl clad.
- 4 A construction plan will be submitted to the Town.
- 5 The compound will be surrounded with 6'-8' evergreen trees so as to camouflage the compound and aid in sound reduction.
- 6 All litigation in regard to the Hervey Court law suit will be dropped.
- 7 Hours of operation shall be limited to 7am to 5pm M-F unless there is an emergency.
- 8 Reasonable mitigation of visual impact from the Rt. 85 Bridge and newly elevated road bed will be made.
- 9 All concerns from the State in regard to Historic or other impacts are met, and any formal agreement is forwarded to the Newfields Planning Board.

Motion seconded by Bill Meserve, all in favor, none opposed.